EXHIBIT 11

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From:	Mark Reinhold <mr@sun.com>
Sent:	Fri Mar 12 2010 15:43:25 PST
To:	jeet.kaul@sun.com <jeet.kaul@sun.com>
CC:	Octavian.Tanase@Sun.COM <octavian.tanase@sun.com>
Subject:	Ruminations on JCP SE/EE EC member responses
Attachments:	

Importance:	Normal
Priority:	Normal
Sensitivity:	None

As you requested on the phone earlier this afternoon.

Assumption: Our proposal will be (roughly) to remove the FoU restriction
as it exists today, replacing it with a clause requiring that commercial
use (by downstream users) is possibly only if the implementor has a paid
(and expensive, beyond Apache's budget) TCK license.

Definitely NO:

Apache Software Foundation (Geir Magnusson)

IBM (Mark Thomas's replacement)

Possibly YES, if we give them something:

Eclipse Foundation Inc. (Mike Milinkovich) -- I know that Octavian has
extended various olive branches to them over the past year; maybe
that's enough. If not, I'm not sure what we could offer them easily
other than a promise to remain engaged in the Eclipse community at
roughly the current level (whatever that is). If we can spend some
money here then we could offer to fund the development work required to
replace their compiler with ours in Eclipse (which would be a good
thing for us anyway), and also to enhance Eclipse as needed to support
the upcoming Java 7 language features. Such commitments would be
attractive to them given that IBM has lately been ramping down its
investment in Eclipse, and if I recall correctly the main Eclipse
compiler guy is an IBM employee.

Likely YES, if we give them something:

Red Hat Middleware LLC (Mark Little) -- Red Hat likes to paint itself
as an idealistic open-source company, but business-wise they're pretty
pragmatic. Their middleware business depends heavily upon OpenJDK.
They see high value in being able to claim compatibility, which they
can and have done via the "OpenJDK Community TCK License Agreement"
which we fashioned two years ago for that very purpose [1]. I expect
they would support us if we (1) Promise that we will continue to honor
that license, and (2) Promise that we will continue to publish most of
our code in OpenJDK. (If (2) does come up then we should give them
fair warning that we do intend to hold back some performance work and
enterprise-specific features.)
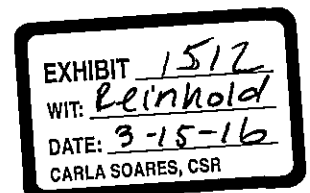
Likely YES:

Google (Josh Bloch) -- Google is very concerned about the stagnation of the platform. They're using Harmony in Android, but our proposal wouldn't affect that business since they're not claiming Android to be compatible, nor do they seem to have plans to do so. Google also has no great love for IBM, to put it mildly. There's a small chance they'd ask us to change the OpenJDK license, but we should hold on to that particular arrow for potential use in a later conversation with them about bringing Android into the compatibility fold.

Doug Lea -- After all these years I think Doug is more worried about the stagnation of the platform than anything else. Although he's an academic he has no objection to companies needing to make money, so I suspect he'd support us.

Tim Peierls -- I don't know him well, but I suspect he'd vote the same way as Doug and Josh.

I have no clue as to how these members would vote:

Ericsson AB (Jens Jensen)

Werner Keil -- Beware of this fellow; he's a completely unpredictable loose cannon. Patrick can tell you more.

Fujitsu Limited (Hiroyuki Yoshida)

Hewlett-Packard (Scott Jameson)

Intel (Wayne Carr)

SAP (Michael Bechauf)

VMware (Rod Johnson)

- Mark

[1] http://openjdk.java.net/legal/openjdk-tck-license.pdf